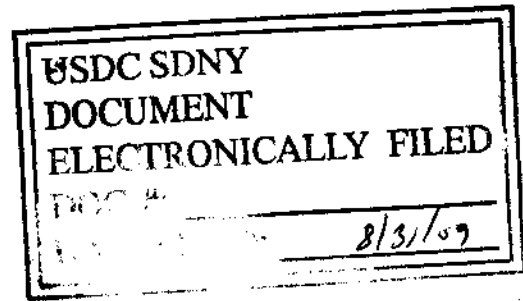


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
BETSABE MONTOYA and BLANCHE PESCE,
individually and on behalf of all others similarly
situated,

Plaintiffs,

07 CIVIL 2574 (NRB)

-against-

JUDGMENT

ING LIFE INSURANCE AND ANNUITY
COMPANY, et al.,

Defendants.

-----X

Defendants having moved to dismiss pursuant to Fed. R. Civ. P. 12(b)(1), and the matter having come before the Honorable Naomi Reice Buchwald, United States District Judge, and the Court, on August 31, 2009, having rendered its Memorandum and Order granting defendants' motion to dismiss for lack of subject matter jurisdiction, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum and Order dated August 31, 2009, defendants' motion to dismiss for lack of subject matter jurisdiction is granted; accordingly, the case is closed.

Dated: New York, New York
August 31, 2009

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**